

City of Springfield  
Regular Meeting

MINUTES OF THE REGULAR MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, JUNE 7, 2004

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, June 7, 2004, at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken, Councilors Ballew, Lundberg, Fitch, Ralston and Woodrow. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

Mayor Leiken asked for a moment of silence in memory of former President Ronald Reagan. Following the moment of silence, Mayor Leiken commended the Springfield City Council for their professionalism and respect for each other even when they disagree. He compared that type of attitude with that of former President Reagan and said he appreciated working with this council for that reason.

SPRINGFIELD UPBEAT

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR FITCH, WITH A SECOND BY COUNCILOR BALLEW, TO ADOPT THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

1. Claims

2. Minutes

- a. May 10, 2004 – Work Session
- b. May 17, 2004 – Work Session
- c. May 17, 2004 – Regular Meeting
- d. May 24, 2004 – Work Session

3. Resolutions

- a. RESOLUTION NO. 04-21 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30343 ASTER MEADOWS SUBDIVISION.
- b. RESOLUTION NO. 04-22 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30282: J.P. HAMMER INDUSTRIAL PARK.

- c. RESOLUTION NO. 04-23 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30355 ANDERSON LANE SANITARY SEWER.

4. Ordinances

5. Other Routine Matters

- a. Approve the Selection of Grove, Mueller and Swank, P.C. as Auditors for the City, MWMC and Regional Fiber Consortium and Authorize the City Manager to Sign a Three Year Audit Services Contract in the Amounts of \$31,000, \$32,000 and \$33,000.
- b. Authorize the City Manager to Execute the Contract with L.N. Curtis and Sons to Purchase one MAKO High Performance Breathing Air Module (Compressor) and Installation of Equipment at Fire Station 3, in the Amount of \$23,799.
- c. Authorize the Mayor to Sign a One Year Contract with the Firm of Harold, Leahy and Kieran for General Counsel Services.

PUBLIC HEARINGS

1. Supplemental Budget Resolution.

RESOLUTION NO. 04-24 – A RESOLUTION ADJUSTING RESOURCES AND REQUIREMENTS IN THE GENERAL FUND, THE STREET FUND, THE SPECIAL REVENUE FUND, THE TRANSIENT ROOM TAX FUND, THE COMMUNITY DEVELOPMENT FUND, THE SEWER CAPITAL PROJECTS FUND, THE DEVELOPMENT PROJECTS FUND, THE SEWER SDC FUND, THE SEWER OPERATIONS FUND, THE REGIONAL WASTEWATER FUND, THE EMERGENCY MEDICAL SERVICES FUND, THE BOOTH-KELLY FUND AND THE VEHICLE AND EQUIPMENT FUND.

Budget Officer Norma Barton presented the staff report on this item. At various times during the fiscal year the council is requested to make adjustments to the budget to reflect needed changes in planned activities, to recognize new revenues such as grants, or to make other required adjustments. These adjustments to resources and requirements which change the current budget are processed through supplemental budget requests that the Finance Department schedules on an annual basis.

This is the fourth of four scheduled FY04 supplemental requests to come before council. The supplemental budget being presented includes: adjusting resources and requirements in the General Fund, the Street Fund, the Special Revenue Fund, the Transient Room Tax Fund, the Community Development Fund, the Sewer Capital Projects Fund, the Development Projects Fund, the Sewer SDC Fund, the Sewer Operations Fund, the Regional Wastewater Fund, the Emergency Medical Services Fund, the Booth-Kelly Fund, and the Vehicle and Equipment Fund.

The City Council is asked to approve the attached Supplemental Budget Resolution.

The overall financial impact of the Supplemental Budget Resolution is to increase total appropriations by \$108,617.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

Councilor Fitch said she was happy to see the increase in the appropriations for the Spanish classes. This is important to allow the city to communicate with all of our citizens.

Councilor Ballew said funds were being moved between reserves and the operating budget. Usually reserves are not utilized unless there is a budget action to bring them forward. Moving funds from the reserves into the General Fund alters the appropriations.

Ms. Barton said she will check into that and let Councilor Ballew know.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 02-24. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

2. Proposed Amendment to the Metropolitan Area Public Facilities and Services Plan, Table 8 and Map 4: Planned Electrical Facilities.

ORDINANCE NO. 1 – AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA PUBLIC FACILITIES AND SERVICES PLAN (PFSP), TABLE 8 AND MAP 4: PLANNED ELECTRICAL FACILITIES TO SHOW A NEW 115kV TRANSMISSION LINE FROM THE MARCOLA SUBSTATION SITE TO THE LAURA STREET SUBSTATION, AND ADOPTING A SEVERABILITY CLAUSE. (FIRST READING)

Planning Manager Greg Mott presented the staff report on this item. The Springfield Utility Board (SUB) is proposing to add a 115kV transmission line to an existing route from the Marcola substation site at 28<sup>th</sup> and Olympic Street to the Laura substation site at Laura and Shelly Streets. Metro Plan Policy G.2, Chapter III, Section G, requires this line to be included in the PFSP project list: *“Use the Planned Facilities Maps of the Public Facilities and Service Plan to guide the general location of water, wastewater, stormwater, and electrical project in the metropolitan area.”*

On April 5, 2004, the council approved a motion to initiate an amendment to the PFSP which would add Project Number 18 (28th Street to Laura Street Transmission Line) to Table 8 of the PFSP and also amend Map 4 to show this transmission line. On May 4, 2004, the Planning Commission forwarded a Recommendation to City Council, to approve the Metro Plan Amendment as proposed in Jo. No. LRP2004-00003.

SUB is proposing to locate a transmission line atop an existing distribution line route. The project will consist of single pole structures with the transmission conductors on top of the pole and the distribution conductors just above mid pole height. The transmission line will provide an alternate source of power to Marcola, Gateway and Laura Street substation areas. The existing backup capacity to the Laura Street Substation is not capable of supplying the required power in the event of an outage at the Laura-Tenth Street 115 kV line during winter conditions. The proposed transmission line is part of a transmission system upgrade that will provide adequate

reliability during certain transmission outages to the substations listed above and to other substations in the SUB transmission system.

Metro Plan Policy #G.2 referenced above requires that the project be included in the PFSP. By definition, this is a site specific, Type II amendment within the city limits of Springfield. A referral was sent to the City of Eugene and Lane County because this is a proposed amendment to a jointly adopted functional plan; both Eugene and Lane County have determined not to participate. The map and findings are both included in the agenda packet.

Councilor Ballew asked how specific staff needs to be regarding the MetroPlan. She asked if there was guidance on how much information is needed regarding a plan, capital projects or budget. There comes a point when the specificity doesn't add anything and makes it more difficult by requiring a change each time something new comes up.

Mr. Mott said as a practical matter that is correct. As a legal matter, this will be something discussed at the Joint Elected Officials meeting on June 22 along with other amendments to the Metro Plan. The administrative rule in division 011 is fairly clear that only the project needs to be listed; it's approximate location, the timing and a rough cost estimate. Neither the timing, the cost estimate, nor final engineering are subject to land use decisions process and statutes. The rule says you can be general about that. It is the purview of the urban service provider to bring out the detail. It is SUB's intent to approximate the location of the line as indicated and it is their intent that it would be that voltage line. They have indicated they would replace the existing poles with a slightly larger pole because there is already a line that serves at a lower voltage.

Councilor Ballew asked if they would have to come back if the on-the-ground conditions were to warrant changes being made to that intent.

Mr. Mott said there was latitude provided in the rule that allows the local jurisdiction or service provider some discretion in that. The city has provisions in our code that address general conformity and if not, it would require another amendment. Discussion was held on the types of changes that would or would not warrant another amendment.

Mayor Leiken opened the public hearing.

1. Bob Linahan, 2417 N. 17<sup>th</sup> Place, Springfield, OR. Mr. Linahan represented the Springfield Utility Board (SUB). Mr. Linahan said he was available to answer any questions. He was in support of the transmission line.

Mayor Leiken closed the public hearing.

NO ACTION REQUESTED. FIRST READING ONLY.

3. Amendment to the Springfield Municipal Code, Chapter 8.

ORDINANCE NO. 2 – AN ORDINANCE PERTAINING TO SIGN STANDARDS,  
AMENDING CHAPTER 8 OF THE SPRINGFIELD MUNICIPAL CODE BY REVISING,  
ADDING, AND DELETING PORTIONS OF SECTION 8.254, ADDING SECTION 8.267,  
REVISING MAP NO. 2 AND ADDING MAP NO. 4. (FIRST READING)

Community Services Manager Dave Puent presented the staff report on this item. When the location of the Springfield Sports Center changed from the Gateway area to South 32<sup>nd</sup> Street, Chapter 8 of the Springfield Municipal Code was not amended to identify the new location and to return the previous location to the Campus Industrial Sign District. The two amended sign districts were identified as map two and map four included in the agenda packet.

The Springfield Sports Center is currently under construction at 200 South 32<sup>nd</sup> Street and the adjoining property, 400 South 32<sup>nd</sup> Street. These properties are also identified as Lane County Assessment and Tax Lot Map Identification Number 17023100, Tax Lots 00502 and 00503. When the Sports Center was originally approved in the Gateway area, a Sport Center Sign District was created and placed in the Springfield Sign Code to allow the size, height and number of signs which would normally be associated with a multi-sport center site. When the location of the Sports Center changed to 32<sup>nd</sup> Street, the Sign Code was not updated to identify the new location or permitted signage. The 32<sup>nd</sup> Street property is zoned Public Land and Open Space which is very limiting in allowable signage. Staff has worked with the applicant and the sign contractor in a collaborative manner in recommending the proposed signage. The allowable signage for the site is more than what is allowed for Public Land, but significantly less than what is allowed for Community Commercial zoned property.

This Ordinance will also remove the reference to I-5 when referring to the Springfield Sports Center.

There is no financial impact to the city.

Councilor Ballew asked if this sign code would be the same for the whole territory or if it would be different along Main Street.

Mr. Puent said that area would remain Community Commercial. The sign code change would only affect the Sports Center property.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

NO ACTION REQUESTED. FIRST READING ONLY.

4. Annexation of Territory to the City of Springfield (Journal Number LRP2004-00007).

RESOLUTION NO. 04-25 – A RESOLUTION INITIATING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD AND REQUESTING THAT THE LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION APPROVE THE EXPEDITED ANNEXATION.

Planner Sarah Summers presented the staff report on this item. The applicant and owner have requested expedited annexation of 5.09 acres of property located at 3360 Game Farm Road. The site currently contains a church and vacant residence. The purpose of the annexation is to create a Low Density Residential subdivision.

The City Council is authorized by ORS 199.490(2)(a)(B) to initiate annexation upon receiving consent in writing from a majority of the electors registered in the territory to be annexed and the owners of more than half of the land to be annexed. Consent from the property owner has been given, and there are no current registered voters on the property.

The tax lot contains a vacant church and a vacant residence. The applicant plans to subdivide the property into one lot for the church, one lot (tract A) for public storm water detention, and 18 single family residential lots. The properties are within the UGB and are adjacent to the Springfield city limits. The city can ensure a minimum range of urban services including but not limited to police, fire protection, library, parks and recreation, storm sewers, sanitary sewer and schools. Rainbow Water District currently serves the site. The Springfield Utility Board (SUB) will begin water service to the site on the first day of July following annexation. The City Council Resolution will be forwarded to the Lane County Local Government Boundary Commission. The applicant and owner are requesting Expedited Procedure for the annexation.

Discussion was held regarding the exact location of the property.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 04-25. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

#### BUSINESS FROM THE AUDIENCE

#### CORRESPONDENCE AND PETITIONS

#### BUSINESS FROM THE CITY COUNCIL

1. Councilor Ballew said that she, Mr. Mott, Lane County Commissioner Bobby Green and others went to a Metro sponsored conference in Portland on Friday, June 4. It was a nice conference and they met a lot of people.
2. Councilor Woodrow gave an update on the McKenzie Watershed Council. The council has initiated a non-profit organization originally named Friends of the McKenzie, but the name has been changed to the McKenzie Watershed Council Corporation. Councilor Woodrow serves as the secretary of the non-profit in a private capacity, not as a city council liaison. The McKenzie Watershed Council Corporation is going through the process of writing a business plan for the corporation and for the Council. They are looking at ways to save money on processing their funds. McKenzie Watershed Council is not a non-profit organization and has had difficulty soliciting funds because of the status. The council was using Cascade Pacific to do its finance work, but Cascade Pacific takes ten percent of what they get. That is the reason for starting their own non-profit.

Mayor Leiken wanted to know if the McKenzie Watershed Council would remain intact. He would like to look at whether or not it would still be required for the city council to appoint a council liaison to the McKenzie Watershed Council.

3. Councilor Fitch said she attended a Bus Rapid Transit (BRT) meeting last Tuesday. During that meeting, discussion was held regarding a modified BRT from downtown Springfield to the Thurston Station because they do not have the funds for a full BRT. It was interesting, but there are still a lot of questions. Oregon Department of Transportation (ODOT) will be doing a resurface along Main Street, and they may look at plans to put in left turn separators. They are thinking ahead regarding where future stops or stations would be located. The different agencies are looking to work together. Discussion was not held regarding exclusive right-of-way, but in how they could get the larger sleek bus out to the Thurston area to accommodate Route Eleven.
4. Councilor Lundberg said she had a wonderful time watching the first soccer games at the new Sports Center field on 32<sup>nd</sup> Street. There was a ribbon cutting and it was very nice seeing the kids playing on that field.
5. Mayor Leiken gave an update on the possibility of Royal Caribbean coming to the area. This has been going through the Lane Metro Partnership. He discussed the other area being considered for this business. Media has been very interested in this issue. We know that Springfield/Eugene is being considered seriously and it appears the site has been narrowed down to our area and Spokane Valley. Royal Caribbean is working with Lane Metro Partnership and negotiations are taking place there.

Mayor Leiken said council has discussed the possibility of appointing an interim for the Ward 6 position. He would like to schedule this discussion for a work session on June 14. It is important for council to decide what they want to do about this vacancy.

6. Councilor Ralston said during a Housing Policy Board meeting, the discussion revolved around a questionnaire Eugene and Portland are required to fill out which includes twenty questions. Points are awarded for their answers and they need a minimum number of points to receive funding. Ms. Pappas asked if they were going through their audit. Councilor Ralston did not know. He said that St. Vincent DePaul also had to fill out this form. He has copies of the responses from Eugene and Portland.

Ms. Pappas said because we work with Eugene on the consortium, we may provide input for their questionnaire. She said she would contact Housing Program Specialist Kevin Ko and Housing Program Assistant Jodi Peterson regarding this questionnaire.

7. Councilor Woodrow said he spoke on Memorial Day for the American Legion at the Veteran's Wall at Willamalane Park. The event was nicely attended by nearly two hundred people and included a jet flyover which followed the playing of taps.
8. Councilor Ralston said he participated in the HIV Alliance Walk/Run. There was entertainment and a wide variety of participants. The trail they took for the walk was very nice and he saw where the new courthouse is going to be built.

#### BUSINESS FROM THE CITY MANAGER

BUSINESS FROM THE CITY ATTORNEY

City Attorney Joe Leahy said Mr. Mott did a very good job describing current law in response to the question about the Springfield Utility Board facility. He noted that often the law changes over the course of a couple of years

Mr. Leahy also suggested that Councilor Woodrow meet with the counsel for the McKenzie Watershed Council to find out what the difference is between the non-profit and the Council with respect to public notice, meeting requirements, papers and other information. Councilor Woodrow is appointed to the McKenzie Watershed Council, but not to the non-profit entity.

Councilor Woodrow said the attorney for the non-profit is David Atkins, who is an expert on non-profit. Councilor Woodrow said he had talked with Mr. Leahy previously about serving on the non-profit and noted that he serves on the board of the non-profit in a private capacity.

Discussion was held regarding the city as a non-profit.

ADJOURNMENT

The meeting was adjourned at 7:35 p.m.

Minutes Recorder Amy Sowa

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Sidney W. Leiken  
Mayor

Attest:

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City Recorder